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OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-FIRST LEGISLATURE

**FIFTY-SECOND LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 29, 2012**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused – Henderson, McGeachin, Patrick.

Total – 3.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Courtney Wills, Page.

Approval of Journal

February 29, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-first Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

Consideration of Messages from the Governor and the Senate

February 28, 2012

Mr. Speaker:

I return herewith enrolled [H 382](#), [H 383](#), [H 385](#), [H 412](#), [H 367](#), [H 402](#), [H 418](#), [H 391](#), [H 374](#), [H 375](#), [H 369](#), [H 407](#), [H 408](#), [H 409](#), and [H 473](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 382](#), [H 383](#), [H 385](#), [H 412](#), [H 367](#), [H 402](#), [H 418](#), [H 391](#), [H 374](#), [H 375](#), [H 369](#), [H 407](#), [H 408](#), [H 409](#), and [H 473](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 28, 2012

Mr. Speaker:

I transmit herewith [SCR 120](#), [S 1319](#), and [S 1309](#) which have passed the Senate.

NOVAK, Secretary

[SCR 120](#), [S 1319](#), and [S 1309](#) were filed for first reading.

February 28, 2012

Mr. Speaker:

I return herewith [H 417](#), [H 393](#), as amended, [H 455](#), [H 475](#), and [H 446](#) which have passed the Senate.

NOVAK, Secretary

[H 417](#), [H 393](#), as amended, [H 455](#), [H 475](#), and [H 446](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 29, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 600](#), [H 601](#), [H 602](#), [H 603](#), [H 604](#), and [H 605](#).

WILLS, Chairman

[H 600](#), [H 601](#), and [H 602](#) were filed for second reading.

[H 603](#), [H 604](#), and [H 605](#) were referred to the Education Committee.

February 29, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [HCR 33](#), [H 394](#), [H 438](#), [H 405](#), and [H 469](#).

WILLS, Chairman

The Speaker announced he was about to sign enrolled [HCR 33](#), [H 394](#), [H 438](#), [H 405](#), and [H 469](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 28, 2012

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 478](#) and [HJM 11](#) and recommend that they do pass.

LOERTSCHER, Chairman

[H 478](#) and [HJM 11](#) were filed for second reading.

February 27, 2012

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 515](#) and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

[H 515](#) was placed on General Orders for consideration.

February 28, 2012

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration [SCR 116](#) and recommend that it do pass.

RAYBOULD, Chairman

[SCR 116](#) was filed for second reading.

February 28, 2012

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 558](#) and [H 569](#) and recommend that they do pass.

MCGEACHIN, Chairman

[H 558](#) and [H 569](#) were filed for second reading.

February 28, 2012

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 573](#) and recommend that it be referred to the Commerce and Human Resources committee.

MCGEACHIN, Chairman

[H 573](#) was referred to the Commerce and Human Resources committee.

February 28, 2012

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 566](#) and recommend that it be referred to the Revenue and Taxation committee.

MCGEACHIN, Chairman

[H 566](#) was returned to the Health and Welfare committee.

February 28, 2012

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 570](#), [H 577](#), and [S 1312](#) and recommend that they do pass.

PALMER, Chairman

[H 570](#), [H 577](#), and [S 1312](#) were filed for second reading.

February 28, 2012

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [S 1274](#) and report it back with amendments attached to be placed on General Orders for consideration.

PALMER, Chairman

[S 1274](#) was placed on General Orders for consideration.

February 28, 2012

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [S 1236](#) and [SCR 117](#) and recommend that they do pass.

ANDRUS, Chairman

[S 1236](#) and [SCR 117](#) were filed for second reading.

February 29, 2012

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 553](#) and [H 575](#) and recommend that they do pass.

LOERTSCHER, Chairman

[H 553](#) and [H 575](#) were filed for second reading.

February 29, 2012

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 588](#) and [H 590](#) and recommend that they do pass.

NONINI, Chairman

[H 588](#) and [H 590](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 47 BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND AUTHORIZING AND APPROVING THE DEPARTMENT OF ADMINISTRATION TO ENTER INTO AN AGREEMENT OR AGREEMENTS WITH THE IDAHO STATE BUILDING AUTHORITY TO PROVIDE FINANCING TO CONSTRUCT A NEW MULTI-LEVEL PARKING FACILITY AND PROVIDING THIS AUTHORIZATION CONSTITUTES PRIOR LEGISLATIVE APPROVAL AND AUTHORIZING THE DEPARTMENT OF ADMINISTRATION TO EVALUATE THE CURRENT PARKING PERMIT AND FEE STRUCTURE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, there are 2,300 state employees in the Capitol Mall, 1,600 parking permits sold, but only 1,236 actual parking spaces available in the Capitol Mall, this shortage of available parking having been identified in numerous reports beginning in 1987; and

WHEREAS, each legislative session the parking problems are magnified for state employees, legislators and visiting members of the public; and

WHEREAS, there is currently a waiting list of approximately 200 names for a reserved parking space in the Capitol Mall that requires a wait of between five and eight years to receive a reserved permit; and

WHEREAS, the Capitol Mall Master Plan has identified convenient locations in the Capitol Mall for a second multi-level parking facility; and

WHEREAS, there are efforts underway to remodel and renovate the Capitol Annex facility that will further add to the Capitol Mall parking needs; and

WHEREAS, the recently completed Capitol Restoration and Expansion Project has enabled more of Idaho citizens to participate in the legislative process, drawing more visitors to the Capitol Mall; and

WHEREAS, the timing is favorable for bonding a state construction project with historically low interest rates and favorable construction costs; and

WHEREAS, this construction project would provide new jobs and a significant boost to the local economy.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-first Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature authorizes and approves the Department of Administration to enter into an agreement or agreements with the Idaho State Building Authority, under such terms and conditions as may be reasonable and necessary, to provide financing to construct a new multi-level parking facility, and that this resolution shall constitute prior legislative approval in accordance with Section 67-6410, Idaho Code.

BE IT FURTHER RESOLVED that the Legislature supports an evaluation of the current parking permits and fees charged by the Department of Administration, which have not been adjusted since 1976, as a means of support for the maintenance and operation of parking facilities.

HOUSE CONCURRENT RESOLUTION NO. 48 BY EDUCATION COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND CONGRATULATING MEMBERS OF THE IDAHO

EDUCATION ASSOCIATION ON THEIR ORGANIZATION'S 120TH ANNIVERSARY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Idaho Education Association (IEA) was founded 120 years ago, on March 3, 1892; and

WHEREAS, the IEA has long been the principal organization championing universal, tuition-free, quality public education for Idaho's children; and

WHEREAS, the Idaho Education Association consistently works for high student and teacher standards and innovation in the classroom; and

WHEREAS, the IEA has been the foremost voice for adequate, stable and equitable funding for Idaho's public schools; and

WHEREAS, educators are often the first to notice when a child needs help and members of the Idaho Education Association have given nearly a million dollars in assistance to their neediest students through their donations to the IEA Children's Fund.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-first Idaho Legislature, the House of Representatives and the Senate concurring therein, that members of the Idaho Education Association be congratulated on their organization's 120th anniversary and their service to the teaching profession and to the children of Idaho.

[HCR 47](#) and [HCR 48](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[SCR 120](#), by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 606 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAXATION; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029L, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR CERTIFICATION, TO PROVIDE THE AGRICULTURE VALUE ADDED INCOME TAX CREDIT, TO PROVIDE THE TAXABLE YEAR FOR THE AGRICULTURE VALUE ADDED INCOME TAX CREDIT, TO PROVIDE PROCEDURES, TO PROVIDE FOR INVESTMENT REPORTING FORMS, TO PROVIDE RULES AND TO PROVIDE APPLICATION; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING A SUNSET CLAUSE.

HOUSE BILL NO. 607 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1302, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THOSE THAT DO NOT MEET THE DEFINITION OF "EMPLOYEE"; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 608 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO WATER RIGHTS; AMENDING SECTION 42-201, IDAHO CODE, TO PROVIDE AN

EXCEPTION FROM WATER RIGHTS REQUIREMENTS FOR CERTAIN MUNICIPALITIES, MUNICIPAL PROVIDERS, SEWER DISTRICTS AND REGIONAL PUBLIC ENTITIES OPERATING PUBLICLY OWNED TREATMENT WORKS, TO REQUIRE MUNICIPAL PROVIDERS AND SEWER DISTRICTS TO PROVIDE NOTICE TO THE DEPARTMENT OF WATER RESOURCES IF CERTAIN LAND APPLICATION IS TO TAKE PLACE, TO PROVIDE THAT NOTICE SHALL BE ON FORMS FURNISHED BY THE DEPARTMENT AND TO PROVIDE FOR INCLUSION OF ALL REQUIRED INFORMATION; AND AMENDING SECTION 42-221, IDAHO CODE, TO PROVIDE A FEE FOR FILING NOTICE OF LAND APPLICATION OF EFFLUENT.

HOUSE BILL NO. 609 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO PUBLIC ASSISTANCE LAW; AMENDING SECTION 56-255, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DENTAL SERVICES FOR CERTAIN MEDICAID PARTICIPANTS AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 56-264, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE RULEMAKING AUTHORITY OF THE DEPARTMENT OF HEALTH AND WELFARE.

HOUSE BILL NO. 610 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO FIRE PROTECTION DISTRICTS; AMENDING SECTION 31-1411, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO THE DEANNEXATION OF CERTAIN TERRITORY FROM A FIRE PROTECTION DISTRICT.

HOUSE BILL NO. 611 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO LIVESTOCK LIENS; AMENDING SECTION 45-805, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE SALE OF CERTAIN LIVESTOCK AT PUBLIC AUCTION AND TO REVISE PROVISIONS RELATING TO NOTICE OF PUBLIC AUCTION.

HOUSE BILL NO. 612 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO ENDOWMENT LANDS; AMENDING SECTION 58-104, IDAHO CODE, TO REVISE THE POWERS AND DUTIES OF THE STATE LAND BOARD TO PROVIDE REQUIREMENTS ASSOCIATED WITH THE EXCHANGE OF ENDOWMENT LANDS OR THE USE OF PROCEEDS FROM THE SALE AT PUBLIC AUCTION OF ENDOWMENT LANDS, TO DEFINE A TERM, TO PROVIDE RESTRICTIONS RELATING TO SPECIFIED TYPES OF LANDS AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 613 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO THE IDAHO TRAVEL AND CONVENTION INDUSTRY COUNCIL; AMENDING SECTION 67-4712, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE IDAHO TRAVEL AND CONVENTION INDUSTRY COUNCIL MEMBERS AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION

67-4713, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE TERM OF OFFICE AND REMOVAL OF MEMBERS OF THE IDAHO TRAVEL AND CONVENTION INDUSTRY COUNCIL AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 614
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO LOCAL LAND USE PLANNING; AMENDING SECTION 67-6512, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO SPECIAL USE PERMITS; AMENDING SECTION 67-6516, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO SPECIAL USE PERMITS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 615
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE CATASTROPHIC HEALTH CARE FUND FROM THE GENERAL FUND AND DIRECTING A TRANSFER FOR FISCAL YEAR 2013; AND PROVIDING LEGISLATIVE INTENT.

HOUSE BILL NO. 616
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE COMMISSION ON THE ARTS FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS.

HOUSE BILL NO. 617
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS; AND PROVIDING LEGISLATIVE INTENT.

HOUSE BILL NO. 618
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF HUMAN RESOURCES FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS.

HOUSE BILL NO. 619
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO SPEED LIMITS; AMENDING SECTION 49-105, IDAHO CODE, TO REMOVE A PROVISION RELATING TO REGULATION OF SPEED BY LOCAL AUTHORITIES; AMENDING SECTION 49-201, IDAHO CODE, TO REMOVE A PROVISION RELATING TO REGULATION OF SPEED BY LOCAL AUTHORITIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING

SECTION 49-202, IDAHO CODE, TO REMOVE A PROVISION RELATING TO REGULATION OF SPEED BY LOCAL AUTHORITIES; AMENDING SECTION 49-207, IDAHO CODE, TO REMOVE PROVISIONS RELATING TO REGULATION OF SPEED BY LOCAL AUTHORITIES, TO REVISE PROVISIONS RELATING TO REGULATION OF SPEED BY LOCAL AUTHORITIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-208, IDAHO CODE, TO REMOVE A PROVISION RELATING TO REGULATION OF SPEED BY LOCAL AUTHORITIES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 49-654, IDAHO CODE, TO REVISE PROVISIONS RELATING TO MAXIMUM SPEED LIMITS.

HOUSE BILL NO. 620
BY EDUCATION COMMITTEE
AN ACT

RELATING TO BIOLOGICAL EVIDENCE; AMENDING SECTION 19-4902, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DNA TESTING; AMENDING CHAPTER 55, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-5519, IDAHO CODE, TO REQUIRE THAT CERTAIN BIOLOGICAL EVIDENCE BE RETAINED AND PRESERVED, TO PROVIDE REQUIREMENTS RELATING TO THE RETENTION AND PRESERVATION OF CERTAIN BIOLOGICAL EVIDENCE AND TO DEFINE TERMS; AMENDING SECTION 6-904B, IDAHO CODE, TO PROVIDE AN EXCEPTION TO GOVERNMENTAL LIABILITY AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 19-4901, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

[H 606](#), [H 607](#), [H 608](#), [H 609](#), [H 610](#), [H 611](#), [H 612](#), [H 613](#), [H 614](#), [H 615](#), [H 616](#), [H 617](#), [H 618](#), [H 619](#), and [H 620](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1319](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

[S 1309](#), by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

[HCR 46](#) and [H 598](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[H 579](#), by Education Committee, was read the second time by title and filed for third reading.

[H 420](#), [H 421](#), and [H 422](#), by Business Committee, were read the second time by title and filed for third reading.

[S 1308](#), by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

[H 563](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

February 29, 2012

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration [HCR 40](#) and [H 523](#) and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H.C.R. NO. 40

AMENDMENT TO THE RESOLUTION

On page 1 of the printed resolution, in line 21, delete "merit-based"; and in line 23, following "fied" insert: "performing".

HOUSE AMENDMENT TO H.B. NO. 523

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 20, following "consecutive" insert: "calendar".

We have also had under consideration [S 1269](#) and [H 562](#), report progress and beg leave to sit again.

BEDKE, Chairman

Mr. Bedke moved that the report be adopted. Seconded by Mr. Rusche.

Whereupon the Speaker declared the report adopted.

[HCR 40](#), as amended, and [H 523](#), as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

[S 1269](#) and [H 562](#) were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

[H 541](#) - HEALTH CARE ORGANIZATIONS

[H 541](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Guthrie to open debate.

The question being, "Shall [H 541](#) pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Block(Block),

Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Black, Henderson, McGeachin, Patrick, Simpson. Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 541](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 358](#), as amended in the Senate, - PROPERTY TAX

[H 358](#), as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

The question being, "Shall [H 358](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Black, Henderson, McGeachin, Patrick, Simpson. Total – 5.

Total – 70.

Whereupon the Speaker declared [H 358](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

[H 386](#), as amended, - SCHOLARSHIPS

[H 386](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Marriott to open debate.

The question being, "Shall [H 386](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott,

McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Shepherd, Shirley, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Black, Henderson, McGeachin, Patrick, Schaefer, Simpson. Total – 6.

Total – 70.

Whereupon the Speaker declared that [H 386](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 488](#), as amended, - INCOME TAXATION

[H 488](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet and Mr. Hagedorn to open debate.

The question being, "Shall [H 488](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Loertscher, Luker, Marriott, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Black, Henderson, Lake, McGeachin, Patrick. Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 488](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 491](#), as amended, - VOTING MACHINE APPROVAL

[H 491](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Smith(30) to open debate.

The question being, "Shall [H 491](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Loertscher, Luker, Marriott, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Black, Henderson, Lake, McGeachin, Patrick. Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 491](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 479](#), as amended, - VETERANS

[H 479](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall [H 479](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Loertscher, Luker, Marriott, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Black, Henderson, Lake, McGeachin, Patrick. Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 479](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 507](#), as amended, - URBAN RENEWAL LAW

[H 507](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Barbieri to open debate.

The question being, "Shall [H 507](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Bolz, Boyle, Chadderdon, Collins, Crane, DeMordaunt, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Loertscher, Luker, Marriott, McMillan, Moyle, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Roberts, Schaefer, Shepherd, Shirley, Sims, Stevenson, Thayne, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 43.

NAYS – Andrus, Block(Block), Buckner-Webb, Burgoyne, Chew, Cronin, Ellsworth, Guthrie, Higgins, Jaquet, Killen, King, Lacey, Nessel, Pence, Ringo, Rusche, Simpson, Smith(30), Smith(24), Thompson, Trail. Total – 22.

Absent and excused – Black, Henderson, Lake, McGeachin, Patrick. Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 507](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 485, as amended, - INCOME TAX DEDUCTIONS

H 485, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet and Mr. Vander Woude to open debate.

The question being, "Shall H 485, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Loertscher, Luker, Marriott, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Black, Henderson, Lake, McGeachin, Patrick. Total – 5.

Total – 70.

Whereupon the Speaker declared that H 485, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the House recess until 1:15 p.m.

Without objection, the Speaker declared the House at recess until 1:15 p.m.

RECESS
Afternoon Session

The House reconvened at 1:15 a.m., the Speaker in the Chair.

Prior to recess, the House was at the Eleventh Order of Business.

Mr. Rusche asked unanimous consent that H 486, as amended, retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

H 511, as amended, - AERONAUTICS

H 511, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Batt to open debate.

The question being, "Shall H 511, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Guthrie, Hagedorn, Hart, Hartgen, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Vander Woude, Wood(35), Mr. Speaker. Total – 61.

NAYS – Gibbs, Harwood, Wood(27). Total – 3.

Absent and excused – Black, Henderson, McGeachin, Patrick, Trail, Wills. Total – 6.

Total – 70.

Whereupon the Speaker declared that H 511, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 439, as amended, - UNIFORM CONTROLLED SUBSTANCES

H 439, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall H 439, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Ringo, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Henderson, McGeachin, Patrick, Roberts, Trail, Wills. Total – 6.

Total – 70.

Whereupon the Speaker declared that H 439, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 522, as amended, - PUBLIC ASSISTANCE BENEFIT CARDS

H 522, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Perry to open debate.

The question being, "Shall H 522, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Ringo, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Henderson, McGeachin, Patrick, Roberts, Trail, Wills. Total – 6.

Total – 70.

Whereupon the Speaker declared that H 522, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 520, as amended, - ELECTRICAL CONTRACTORS
AND JOURNEYMEN**

H 520, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

Pursuant to Rule 38(3), Mr. Crane disclosed a conflict of interest regarding H 520, as amended.

The question being, "Shall H 520, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Ringo, Rusche, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Henderson, McGeachin, Patrick, Roberts, Schaefer, Trail, Wills. Total – 7.

Total – 70.

Whereupon the Speaker declared that H 520, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 540, as amended, - MOTOR VEHICLES - FINANCIAL
RESPONSIBILITY**

H 540, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall H 540, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Ringo, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Henderson, McGeachin, Patrick, Roberts, Trail. Total – 5.

Total – 70.

Whereupon the Speaker declared that H 540, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 512, as amended, - SHEEP AND GOATS

H 512, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Andrus to open debate.

The question being, "Shall H 512, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Bateman, Batt, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Marriott, McMillan, Moyle, Nessel, Nielsen, Palmer, Pence, Perry, Raybould, Ringo, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 57.

NAYS – Barbieri, Barrett, Bayer, Crane, Harwood, Luker, Nonini, Vander Woude. Total – 8.

Absent and excused – Henderson, McGeachin, Patrick, Roberts, Trail. Total – 5.

Total – 70.

Whereupon the Speaker declared that H 512, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 502, as amended, - UNIFORM CONTROLLED
SUBSTANCES**

H 502, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall H 502, as amended, pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Ringo, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Henderson, McGeachin, Patrick, Roberts, Trail. Total – 5.

Total – 70.

Whereupon the Speaker declared that H 502, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 564, as amended, - EDUCATION

H 564, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood(35) and Mr. Nonini to open debate.

The question being, "Shall [H 564](#), as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Chadderdon, Collins, Crane, DeMordaunt, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Loertscher, Luker, Marriott, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Perry, Raybould, Schaefer, Shepherd, Shirley, Simpson, Sims, Stevenson, Thayne, Thompson, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 47.

NAYS – Anderson(Keough), Buckner-Webb, Burgoyne, Chew, Cronin, Ellsworth, Higgins, Jaquet, Killen, King, Lacey, Pence, Ringo, Rusche, Smith(30), Smith(24). Total – 16.

Absent and excused – Harwood, Henderson, Lake, McGeachin, Patrick, Roberts, Trail. Total – 7.

Total – 70.

Whereupon the Speaker declared that [H 564](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HCR 39](#) - ARTS CURRICULUM

[HCR 39](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shirley and Ms. Buckner-Webb to open debate.

The question being, "Shall [HCR 39](#) be adopted?"

Whereupon the Speaker declared [HCR 39](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Thursday, March 1, 2012. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:24 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk